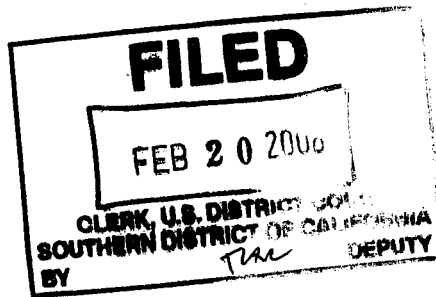


G v m



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Fernando GUERRERO-Ledesma, )  
 )  
 Defendant. )

Mag. Case No. '08 MJ 8151

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1326  
Attempted Entry After Deportation

The undersigned complainant being duly sworn states:

On or about February 19, 2008, within the Southern District of California, defendant Fernando GUERRERO-Ledesma, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e. conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act, to wit, crossing the border from Mexico into the United States, that was a substantial step towards committing the offense, all in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

\_\_\_\_\_  
Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 20th DAY OF FEBRUARY 2008.

\_\_\_\_\_  
PETER C. LEWIS  
U.S. MAGISTRATE JUDGE

(1)

1 Kout

1 UNITED STATES OF AMERICA  
2 v.  
3 Fernando GUERRERO-Ledesma

4  
5 STATEMENT OF FACTS

6 The complainant states that this complaint is based upon the statements of the  
7 apprehending Border Patrol Agent, V. Rodriguez, that the Defendant, Fernando GUERRERO-  
8 Ledesma, was found and arrested on or about February 19, 2008, approximately one half mile  
9 east of the Calexico, California, West Port of Entry.

10 On February 19, 2008, at approximately 3:50 A.M., Agent Rodriguez was notified by the  
11 Calexico Border Patrol's Remote Video Surveillance Operator he observed an individual climb  
12 over the International Boundary Fence with Mexico. Agent Rodriguez responded to the area of  
13 First Street and Rockwood Avenue in Calexico and encountered the individual, later identified as  
14 Fernando GURRERO-Ledesma. Agent Rodriguez identified himself to GUERRERO and  
15 questioned him. It was determined GUERRERO is a citizen of Mexico illegally in the United  
16 States.

17 Records checks revealed GUERRERO had been previously deported on February 11,  
18 2008, and has an extensive criminal record.

19 There is no evidence that the defendant received permission from the Attorney General of  
20 the United States or the Secretary of the Department of Homeland Security to re-enter the United  
21 States.  
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